IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 1820 of 2005

Between:

Bommu Venkataiah S/o Iddaiah
R/o Kasarajupalli Village Chandampet Mandal,

Nalgonda District. ..... PETITIONER

AND

1 The Superintendent of Police Nalgonda, Nalgonda District.
2 The Sub-Divsional Police Officer Devarakonda, Nalgonda District.
3 The Station House Officer , Chandampet, Police Station, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, to declare the action of the respondent No.2 in summoning the petitioner to his office time and again and threatening to furnish the information with regard to the Naxalites as illegal, arbitrary, violative of Articles 19 and 21 of the Constitution of India, and consequently direct the 1st respondent to take appropriate action against the 2nd respondent herein.

Counsel for the Petitioner: Mr.PALLENAGESWAR RAO

Counsel for Respondents : G.P. FOR HOME

The Court at the stage of admission, made the following :

ORDER:

The petitioner alleges that he is being pressurized to attend the Police Station and threatened to furnish information about the whereabouts of certain extremists. He contends that he is not at all concerned with any extremists, and despite the same, the respondents are harassing him.

Heard the learned counsel for petitioner and the learned Government Pleader for Home.

When the writ petition came up for admission on 7.2.2005, the learned Government Pleader was granted time for obtaining instructions. Today, it is stated that the respondents have summoned the petitioner only during the course of investigation into certain incidents and that they have not harassed him at all. It is also stated that they would follow the procedure under law in the event it becomes necessary to proceed against the petitioner.

Having regard to the categorical assertion by the learned Government Pleader that the petitioner will not be proceeded with, except as per the procedure laid down in law, the writ petition is disposed of directing that the respondents shall proceed against the petitioner, in accordance with law, if any complaint is received or registered against him. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Date: 25.2.2005

DA

To

1 The Superintendent of Police Nalgonda, Nalgonda District.
2 The Sub-Divsional Police Officer Devarakonda, Nalgonda District.
3 The Station House Officer, Chandampet, Police Station, Nalgonda District.

4 Two CCs to the Govt. Pleader for Home, High Court Buildings, Hyderabad (OUT).

5 Two CD copies.